

**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

David J. Smith  
Clerk of Court

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January 06, 2022

Clerk - Northern District of Georgia  
Richard B. Russell Bldg & US Courthouse  
2211 UNITED STATES COURTHOUSE  
75 TED TURNER DR SW  
STE 2211  
ATLANTA, GA 30303-3309

Appeal Number: 20-14210-HH  
Case Style: Richard Brown, et al v. Secretary, U.S. Department of Health & Human Svcs., et al  
District Court Docket No: 1:20-cv-03702-JPB

The enclosed copy of this court's unpublished order dismissing an appeal is hereby issued as the mandate of this court. 11th Cir. R. 41-3.

A copy of this letter, and the judgment form if noted above, but not a copy of the court's decision, is also being forwarded to counsel and pro se parties. A copy of the court's decision was previously forwarded to counsel and pro se parties on the date it was issued.

Sincerely,

DAVID J. SMITH, Clerk of Court

Reply to: Lois Tunstall  
Phone #: (404) 335-6191

Enclosure(s)

MDT-1 Letter Issuing Mandate

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

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No. 20-14210-HH

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RICHARD LEE BROWN,  
JEFFREY RONDEAU,  
DAVID KRAUSZ,  
SONYA JONES,  
NATIONAL APARTMENT ASSOCIATION,

Plaintiffs - Appellants,

versus

SECRETARY, U.S. Department of Health and Human Services,  
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES,  
CHIEF OF STAFF, U.S. Centers for Disease Control and Prevention,  
U.S. CENTERS FOR DISEASE CONTROL AND PREVENTION,

Defendants - Appellees.

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Appeal from the United States District Court  
for the Northern District of Georgia

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Before: BRANCH, GRANT, and TJOFLAT, Circuit Judges.

BY THE COURT:

In light of the district court's final order in *Alabama Association of Realtors v. U.S. Department of Health and Human Services* invalidating the CDC's "Temporary Halt in Residential Evictions To Prevent the Further Spread of COVID-19," 85 Fed. Reg. 55292 (Sept. 4, 2020), this appeal is moot. See No. 20-cv-3377, 2021 WL 1779282 (D.D.C. May 5, 2021). We therefore GRANT the appellees' motion to dismiss this case and, because this Court's

mandate has not yet issued, VACATE our panel opinion. *See Gipson v. Jefferson Cnty. Sheriff's Off.*, 649 F.3d 1274, 1275 (11th Cir. 2011).